

PUBLIC HEARING

SEPTEMBER 26, 2012

A public hearing of the Council of the County of Kaua'i was called to order by Mel Rapozo, Vice Chair, Finance / Parks & Recreation / Public Works Programs Committee, on Wednesday, September 26, 2012, at 1:40 p.m., at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Tim Bynum (*present at 1:41 p.m.*)
Honorable Dickie Chang
Honorable KipuKai Kuali'i
Honorable Nadine K. Nakamura
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Jay Furfur, Council Chair

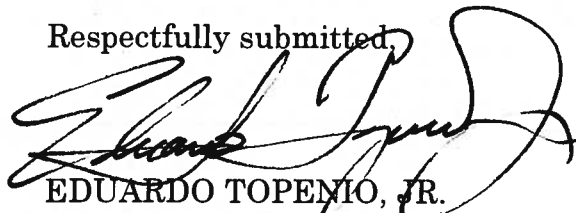
The Clerk read the notice of the public hearing on the following:

BILL NO. 2444 – A BILL FOR AN ORDINANCE AMENDING
SECTION 5A-6.3, KAUA'I COUNTY CODE 1987, AS AMENDED,
RELATING TO REAL PROPERTY TAX,

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on August 22, 2012, and published in The Garden Island newspaper on September 6, 2012.

There being no one present to testify on this matter, the public hearing adjourned at 1:41 p.m.

Respectfully submitted,



EDUARDO TOPENIO, JR.
Assistant to the County Clerk

/ds

PUBLIC HEARING

SEPTEMBER 26, 2012

A public hearing of the Council of the County of Kaua'i was called to order by JoAnn A. Yukimura, Chair, Housing / Transportation / Energy Conservation & Efficiency Committee, on Wednesday, September 26, 2012, at 1:42 p.m., at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Tim Bynum
Honorable Dickie Chang
Honorable KipuKai Kuali'i
Honorable Nadine K. Nakamura
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Jay Furfur, Council Chair

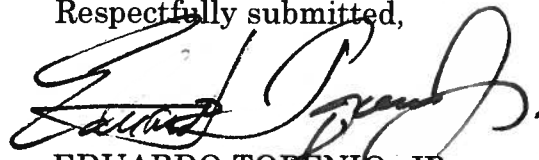
The Clerk read the notice of the public hearing on the following:

BILL NO. 2445 – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-736, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND,

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on August 22, 2012, and published in The Garden Island newspaper on September 6, 2012.

There being no one present to testify on this matter, the public hearing adjourned at 1:43 p.m.

Respectfully submitted,



EDUARDO TOÑENÍO, JR.
Assistant to the County Clerk

/ds

PUBLIC HEARING

SEPTEMBER 26, 2012

A public hearing of the Council of the County of Kaua'i was called to order by JoAnn A. Yukimura, Chair, Housing / Transportation / Energy Conservation & Efficiency Committee, on Wednesday, September 26, 2012, at 1:43 p.m., at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Tim Bynum
Honorable Dickie Chang
Honorable KipuKai Kualii
Honorable Nadine K. Nakamura
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Jay Furfaro, Council Chair

The Clerk read the notice of the public hearing on the following:

BILL NO. 2446 – A BILL FOR AN ORDINANCE AMENDING
CHAPTER 17A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING
TO BUS FARES,

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on September 5, 2012, and published in The Garden Island newspaper on September 14, 2012.

The hearing proceeded as follows:

LYLE UEUNTEN, A.S.U.H., K.C.C. Student body President: I am here to testify in favor of the bus pass amendment. This bus pass is generally just beneficial to the students; yes, it comes at a cost, we understand that but it also provides an asset for students to get to school. Half of the battle of school is getting to school. What we are doing is providing them an opportunity to come to school. If my tire is blown out, I can just walk to the bus stop and catch the bus to school, I can still make it. The Waialeale students – a recent project that has been started at K.C.C., they take students who would normally not go to college. Under the circumstances that they are in, they would not go to college... they take those students and put them into this program and they pay for everything – their tuition, their fees, their books, everything that they need for college is provided. Because these families are generally not supportive of college or just not financially able to support them, they use the bus. This would provide those students with a free bus pass. I believe that is something they have to work out on their own. They either find a ride or they catch the bus but everything else is taken care of. This is to ensure success of these students who normally would not go to college. We are adding numbers to the college and the program has already shown much progress because we have finally reached the fifteen thousand capstone in registered students.

Mr. Chang: Fifteen hundred.

Mr. Ueuntten: I am sorry, fifteen hundred... They are improving enrollment rates. We just want to continue to provide these students with the opportunity to ride the bus to succeed in life. This bus pass is not just getting them

to school, it is getting them through life, and that is what we are looking at. Of course, everyone is going to have to pay for it, so we are looking for the lowest possible fee but it all starts here. It has to pass here in order to even move. We are just asking you guys to pass this fee. Thank you.

Ms. Yukimura: Are there any questions of Lyle?

Ms. Nakamura: Thank you for your testimony, Lyle. With this bus pass, students can use it anywhere... any day and any place?

Mr. Ueunten: Yes.

Ms. Nakamura: It is not just to get to school but just to get around?

Mr. Ueunten: Yes. One of the concerns that we had was, what if I work? Well, it is not just to school, you can use it on weekends, you can use it anytime, anywhere, as long as the bus is running within the 4 month period. I believe the amendment says 4 months. So, as long as it is within that 4 month period, you can ride it anywhere and any day.

Ms. Nakamura: What is the current percentage of students who use the bus?

Mr. Ueunten: I believe that was... we had about 200 students riding the bus, that was last year... that would have been about 10 – 15%. But that was because that program was also fairly unknown. It was something that we got half through the semester. The pilot did not start until around October. We were late in getting news out and so, within that timeframe, we could have gotten more but we just did not advertise it well. Now, a lot of students are coming back and they are hearing about what happened last year and they are asking, “do we have the bus pass again?” It is unfortunate that we have to say, “no, we do not but we are fighting for it.”

Ms. Nakamura: Do you think there will be concerns of students who drive and say, “I do not want to pay this fee because I do not intend to take the bus.” Do you expect to get some pushback?

Mr. Ueunten: We do expect it. That is very understandable. I, myself do not catch the bus because I live in Lāwa‘i and I live a good mile and a half away from a bus stop, so I drive but I am looking at the cost of... even though they do not, we live in a community. We are an island community and I grew up in a community where the wording of “community” just means “we support each other.” It is not just a bunch of people, but we support each other and that is what we are looking at. Students supporting students. Instead of just focusing on myself, I am going to help these people succeed. All I have to do is ride the bus 4 times and I have made my money back.

Mr. Kualī‘i: I just wanted to thank you for coming forward and saying your testimony. I just wanted to put forward the idea of the students who are driving to school are parking on the campus and that is the cost to the University as well. You, as the student body, have to explain it that way that you have a choice, you get this cost of the bus pass to ride it or this cost for parking on campus.

Mr. Ueunten: Yes, that was also something I have been noticing. Our students – our parking issue... because we have grown in enrollment, the parking issue has become much more apparent because we have students that do not park in the parking lot anymore, and they park on the grass by the parking lot. We only have so much space. I know Chancellor Cox was also looking at installing photovoltaic panels over our parking lot soon, one day. That also could incur parking fees. To save them from parking fees, we reduced the amount of cars parking in the parking lot by catching the bus – so, it is win/win.

Chair Furfaro: Excuse me, I just wanted to remind everyone that our intent is to be in a conference call at 2:00 with our Counsel; if you think we are going to take longer than this, I will make the call to cancel that time and reschedule for 4:30.

Ms. Yukimura: Is it possible to just delay it for about 15 more minutes?

Chair Furfaro: No. We already checked on that.

Ms. Yukimura: Okay.

Mr. Rapozo: Mr. Chair, public hearing should not have questions, those are in our rules. We have...

Chair Furfaro: I was doing it in a very nice way.

Mr. Rapozo: And I appreciate that but I have a lot of questions for the young man but I am going to respect the rule and save it for the Committee. I would appreciate everyone's compliance to our own rules. I am just bringing up that point that we are in - Public Hearing is for public input.

Chair Furfaro: I was trying to remind everybody, I did several reminders today about our schedule. You folks understand in our rules, we take public testimony, we do not go through a series of questions until it goes to the Committee.

Ms. Yukimura: I am going to make a move to change those rules. I understand that we need to abide by the rules now but it is crazy not to be able to get information from people who come to a public hearing.

Mr. Rapozo: Okay, well let me ask a question.

Chair Furfaro: Excuse me, I am going to take a moment here... please call our Counsel in Honolulu and reschedule our call for 4:30, this dialog will go on for a while.

Mr. Rapozo: I have a question.

Ms. Yukimura: Yes, go ahead.

Mr. Rapozo: I know in your original testimony, you said if you blew out a tire, you would catch the bus, so in your case you would drive but you would also have a bus pass for free bus transportation even for non-school matters? Do you think that is fair?

Mr. Ueunten: I believe that is a service that we are giving them. It is fair in a sense that we are not denying them the ability, they are paying the fee but they are also getting the ability. They are not paying the fee and not getting the ability.

Mr. Rapozo: Well, I guess my question is you have, as Mr. KipuKai asked, the person that is driving because he has to drive, he has a job, he may live several miles from a bus stop and he may have to go from a job to a job, to a job and now he is being tasked with paying \$20.00 more, and do not take this personal, I am just using this as an example. Now, you get to drive and yes, you will pay \$20.00 but you will also have a free bus pass, so is that fair to the person who has to pay the \$20.00 and not use the bus, so that others can drive and use the bus. What do you feel about that?

Mr. Ueunten: That would be a concern to a lot of students, especially the students who only take one class because they would have to pay the fee as well.

Mr. Rapozo: Exactly.

Mr. Ueunten: However, they voted us in and our opinion comes down to "do not vote, do not grumble." Right?

Mr. Rapozo: My question was, do you think it is fair?

Mr. Ueunten: I believe it is fair because they are given the opportunity...

Mr. Rapozo: Okay, that is fair... I mean, that is fair as far as your opinion.

Ms. Yukimura: Lyle, the bus fare is very discounted, right? For \$20.00 they are getting for 3 months or 4 months. How many months?

Chair Furfaro: It is 4 months and it equals an 80% discount from our posted fares.

Ms. Yukimura: Because it is 4 times 25 is a \$100.00... so that is a real deal for the bus riders. Now, the students at K.C.C. who drive are getting free parking for 4 months, right? The cost of that parking is in the fees right now... I mean the cost of operations of the college are in... which includes parking is in the fees for your courses too, right?

Mr. Ueunten: Yes.

Ms. Yukimura: Everybody is getting a fair deal in that the people who drive are getting free parking, and the people who ride the bus are getting free bus rides. If insufficient numbers ride the bus then the colleges are going to have to put more parking in and the cost of that parking is going to also be in the fees ultimately.

Mr. Ueunten: Yes, it is going to come back but we will see how that goes because this is only a 2 year pilot. Sufficient numbers/insufficient

numbers – we will see in a matter of a year and a half and we will be able to make a decision then.

Ms. Yukimura:

Very good. Anymore questions of Lyle?

ANNE PUNOHU: Aloha, my name is Anne Punohu and as usual I bring my daughter with me today. This is my daughter Kaulana and she is the person who created, invented, and dreamed about what we are discussing here today. I must say that I am a little wary listening to you folks still talking about monetary things and I think I have discussed this with you before. This goes beyond that. I can tell you that I have addressed the Student Council at K.C.C. a few days ago and it was an amazing moment in my life. Some of these kids have never met my daughter, they did not know her. Council switched out just like this Council switched out. I had to reintroduce her to them. I got to say that my daughter and these kids have a foresight, they can see the future, and it does make sense to them because it is their future that they are talking about, long before any of us sitting here will be on this island. I am hoping as the mother of the child who came up with this idea, who is now no longer here and no longer with us, who had the continued support of students who never even met her of working with John Constantino, who originally came up with the idea of the wording for the Kaulana Pass, the current Student President, the past Student Government President, the University, the Board of Regents, the Mayor's Office, who I hope will be extremely cooperative. And I am here today to ask you for your unanimous support and do whatever you can to support this vision. We all can talk about budgets and parking and who is going to ride the bus and who is not going to ride the bus and how much it is going to cost, and all of that stuff... but let us look at what the core purpose and the original intent, and the person who brought it forward is my child. If my child could come up and create this idea and all these people can pick it up and bring it forward then the least that this Council, who we elected to take care of what we want can do it for us, if these students can do it for their constituents at K.C.C., granted not everybody can use this bus stop in a timely fashion or to its full potential, but then I have ridden the bus and had a bus pass, and I have not used it to its full potential either. It does not mean that the value of having it was any less... the option was there. We should be about choices on this island, not one-way streets and anything that can give anybody an option even when it is an emergency situation, especially if you are a student – low on funds. I have been a student, I have worked and gone to K.C.C. with a small child on my lap, with 2 small kids in school. I was one of the first people to ride the bus to go to K.C.C. when it started going to K.C.C. and that is how Kaulana came up with it because she used to ride the bus with me. This is the real people of our island, the real people trying to better themselves whether they are young students or senior citizens trying to get to that one class at K.C.C. I am here to remind you that this child who can no longer speak for herself, there is a lot of people that are behind this idea, that are behind this project, that want to see it succeed and expect their elected officials to help them to do that because it is for them and their future. On behalf of our family, we fully support on behalf of Kaulana, this project and moving forward as swiftly as possible with as much cooperation as you can possibly muster. Mahalo.

Ms. Yukimura:

Thank you. Any questions of Ms. Punohu?

DASHITA COSTA: I am a A.S.U.H. K.C.C. Student Government Secretary. I ride the bus every day, I was here in this seat a year ago. I ride the bus every day to school and work and my other job at school. It is very helpful because... because of school, I do not get to work as much, so that is a fund that I

have to put into my budget nowadays and every penny counts and \$25.00 is a lot me. Being able to have it in my fees when I pay for school and not have to worry about it is a really great thing. Like Lyle was saying we did reach enrollment of 1,500 students now and we had 3 student orientations before school started and one of the main questions at each and every one of those orientations was, "am I going to be able to use my ID as a bus pass?" Unfortunately, we did have to tell them, no. We get the question every now and then, "is it here yet, are we going to be able to use it yet?" And we are waiting. I believe to a lot of the students at school – I do not know exactly how many that ride the bus this semester but it is quite a few. The students this semester are very concerned and yes, it became a very important issue at K.C.C.

Ms. Yukimura: Thank you very much.

Mr. Chang: Thank you for your testimony. If I can remember correctly, wasn't Ian Ross going to do a survey to figure out approximately how many of the students actually...

Ms. Costa: We did a survey last semester and we are in the process of doing another one just because our enrollment has gone up. So, we are looking at doing another one. He did last semester and I believe that it was 10 – 15% of the student body that rode the bus and about 93% of the student body supported a fee for the bus pass and that includes the students that did not ride the bus... of the students that took the survey.

JOHN CONSTATINO: Good afternoon. I am the Student Government Advisor and also the Student Life Coordinator. I normally would not testify on this because it is a student driven thing but then I realized that I am also a student, I am taking carpentry so I can testify. In reference to Mr. Chang's question, there was a public hearing for the students. It was done in May. I do have that information from them... the testimonies. We did have about 10 that submitted in for the bus pass and about 5 that were against it. They were given the opportunity to express their opinion on that matter. I just wanted to say that this project started many years ago when the Student Government presented a Resolution regarding our support for a more sustainable community. The students at that time, this was during Ian's time, Ian Ross as you know is now at UH Mānoa. It was the feeling that the students could contribute in a way that would benefit the school through a bus pass initiative and through Kaulana and success of student bodies, they felt that this would be a good way to contribute to the whole of society. This is where we are at, at this point. I just wanted to let you folks know that UH Mānoa which is our flagship school, does have a bus pass that charges each student \$30.00, it is called a "U-pass." It was \$20.00 but because of the increase in the student population, they had to increase it to \$30.00, so that would be for the entire student body. The Community Colleges on O'ahu, they do have a bus pass program with Kapi'olani, Honolulu, and I believe with Leeward but it is a \$150.00 per semester. With my colleagues on the outer islands, they are looking at our island and the decisions of this Council and of course our school to determine if they should follow this plan also. They are looking at something similar to that to bring to their Council, so this is a very pivotal point within our own County to see and to lead the way and showing that this island can and will work together in addressing an important transportation issue for our students.

Chair Furfaro: John, thank you for mentioning Ian Ross and the lobbying effort that he and Kaulana did with the Council. I thought it was very

effective. It really talked about our investment in education and our youth, but I do want to get some things clarified today if you can go back to the school, I would appreciate it.

Mr. Constatino: Sure.

Chair Furfaro: And it is about our process, we have rules. Rules are not going to change without the majority of us agreeing to the rules. In our current rules, this is the public hearing that was scheduled and it is scheduled at a specific time so that the public realizes if they want to give feedback or so forth on something that is moving through the Legislature, there is a specific time. That is why we also limit questions during that, because... we do not... we have a four public hearings on today's schedule and we do not want someone who might have identified an hour at most to be here to have to go through a number of questions. That is reserved for this bill when it then after public hearing goes into JoAnn Yukimura's Housing/Transportation Committee, and that will happen next week. Because she is the Committee Chair, she is the one that runs the public hearing. Now, if it comes out successfully and that is a time that I would like to encourage, if I know a lot of students participation, as the Chairman, I can earmark a specific time if you would like. So, please call my office. Because it is students that would need to come down and we can earmark that special time for her Committee and then as it comes out of Committee, it will then go to the full Council and then be implemented. These are our rules and we went through a very difficult hearing this morning but we stuck to the rules and we were able to get a Resolution passed. If you can get that message back to the students, we will take written testimony and so forth but at the scheduled public hearings, they are to take testimony. That would be much appreciated and I do want to thank you again.

Ms. Yukimura: John, I have one question. Is the pass available to staff?

Mr. Constatino: We have not...

Ms. Yukimura: That is not included at this point?

Mr. Constatino: No, it is not.

Ms. Yukimura: For each student, \$30.00 for the entire student body, does that cover parking too?

Mr. Constatino: Are you talking about the activity fee or UH Mānoa?

Ms. Yukimura: UH Mānoa.

Mr. Constatino: No, it does not. They still need to pay for their parking in the structure.

Ms. Yukimura: Where here, at K.C.C. there is no charge for parking?

Mr. Constatino: There is no charge.

Ms. Yukimura: Okay. So, a free pass for bus or free parking?

Mr. Constatino: Right.

Ms. Yukimura: Okay, great.

There being no further testimony on this matter, the public hearing adjourned at 2:09 p.m.

Respectfully submitted,

EDUARDO TOPENIO, JR.
Assistant to the County Clerk

/ds

PUBLIC HEARING

SEPTEMBER 26, 2012

A public hearing of the Council of the County of Kaua'i was called to order by Jay Furfaro, Chair, Committee of the Whole, on Wednesday, September 26, 2012, at 2:09 p.m., at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Lihu'e, and the presence of the following was noted:

Honorable Tim Bynum
Honorable Dickie Chang
Honorable KipuKai Kualii
Honorable Nadine K. Nakamura
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Jay Furfar, Council Chair

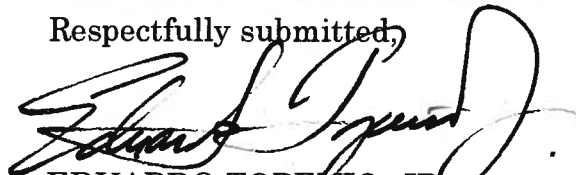
The Clerk read the notice of the public hearing on the following:

BILL NO. 2449 – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-737, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY ADDING A NEW BUDGET PROVISIO AND AMENDING AN EXISTING BUDGET PROVISIO IN THE CAPITAL BUDGET RELATING TO PROJECTS FUNDED WITH COMMUNITY FACILITIES DISTRICT BONDS,

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on September 5, 2012, and published in The Garden Island newspaper on September 14, 2012.

There being no one present to testify on this matter, the public hearing adjourned at 2:11 p.m.

Respectfully submitted,



EDUARDO TOPENIO, JR.
Assistant to the County Clerk

/ds

